



YFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GAINER et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

TC/A.U.: 1621

Filed: August 25, 2003

Examiner: Deborah D. Carr

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR USES

* * * * *

February 17, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

As suggested by 37 C.F.R. 1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO/SB/08a. Copies of the non-U.S. references are enclosed. All of the U.S. references were previously cited. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited. Also attached is a copy of a Japanese Patent Office Action and its English translation dated January 12, 2010 in the Assignee's Japanese application relating to PCT/US03/26424 filed August 25, 2003 (Our ref. 4112-37), and that cites the 8 references cited in the Office Action (copies are attached) - all have English versions or abstracts except for #8 that is allegedly described in the Office Action (#7 = USP 4,699,664).

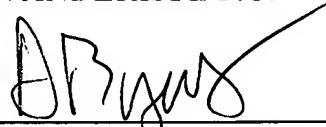
All of this information was received from a foreign patent office within three months of this submission and has not been seen before (except as noted above).

The Examiner is requested to initial the attached form PTO/SB/08a and to return a copy of the initialed document to the undersigned as an indication that the attached has been considered and made of record.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Duane M. Byers
Reg. No. 33,363

DMB:lfo
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100